

STATEWIDE INFORMATION SYSTEMS POLICY

Statewide Policy: Internet Acceptable Use

Product ID: ENT-INT-011

Effective Date: August 2, 2001

Approved: BARBARA RANF, Director, Department of Administration

Replaces & Supersedes: This policy supercedes any prior enterprise policies for establishing and implementing information technology (IT) policies and standards.

I. Authorizations, Roles, & Responsibilities

Pursuant to the Montana Information Technology Act ("MITA") (Title 2, Chapter 17, Part 5 of the Montana Code Annotated ("MCA"), it is the policy of the state that information technology be used to improve the quality of life of Montana citizens, and that such improvement is to be realized by protecting individual privacy and the privacy of the information contained within the state's information technology systems. §2-17-505(1), MCA. It is also the policy of the state that the development of information technology resources be conducted in an organized, deliberative, and cost-effective manner, which necessitates the development of statewide information technology policies, standards, procedures, and guidelines applicable to all state agencies and others using the state network. It is also anticipated that State information technology systems will be developed in cooperation with the federal government and local governments with the objective of providing seamless access to information and services to the greatest degree possible. §2-17-505(2), MCA.

Department of Administration: Under MITA, the Department of Administration ("DOA") is responsible for carrying out the planning and program responsibilities for information technology for state government (except the national guard), including for establishing and enforcing a state strategic information technology plan and establishing and enforcing statewide information technology policies and standards. DOA is responsible for implementing MITA and all other laws for the use of information technology in state government. The director of DOA has appointed the chief information officer to assist in carrying out the department's information technology duties. §2-17-512, MCA.

Department Heads: Each department head is responsible for ensuring an adequate level of security for all data within their department. §2-15-114, MCA.

II. Policy - Requirements

A. Scope

This policy applies to all state employees and state contractors using a state computer. This policy does not apply to public access computers, and students/employees of the Montana University Systems who are employed by the System and are not full time employees.

B. Internet Acceptable Use

The State provided Internet, intranet and related services are to be used for: the conduct of state and local government business and delivery of government services; transmitting and sharing of information among governmental, research, and educational organizations; supporting open research and education in and between national and international research and instructional institutions; communicating and exchanging professional information; encouraging debate of issues in a specific field of expertise; applying for or administering grants or contracts; announcing requests for proposals and bids; announcing new services for use in research or instruction; and conducting other appropriate State business.

The State provided Internet, intranet and related services are not to be used for: 1) "for-profit" activities, 2) "non-profit" or public, professional or service organization activities that aren't related to an employee's job duties, or 3) for extensive use for private, recreational, or personal activities.

Employees should not have expectations of privacy for Internet use. Agency System Administrators, management, and Department of Administration personnel can monitor Internet usage for planning and managing network resources, performance, troubleshooting purposes, or if abuses are suspected.

Employees must follow all other state policies when using the state provided Internet service. See policy ENT-SEC-081 User Responsibilities for additional information regarding the use of state computer resources.

C. Copyright Laws

State employees must honor copyright laws regarding protected commercial software or intellectual property. Duplicating, transmitting, or using software or other electronic property not in compliance with license agreements is considered copyright infringement. State employees are not to make copies of any copyrighted materials without the full legal right to do so. Unauthorized use of copyrighted materials or another person's original writings is considered copyright infringement. Copyrighted materials belonging to others may not be transmitted by staff members on the Internet without permission. Users may download copyrighted material from the Internet, but its use must be strictly within the agreement as posted by the author or current copyright law. In

addition, copyrighted agency/State information used on web sites must be clearly labeled as such.

D. Agency Responsibilities Related To The Internet

Each agency must have a clear policy on their business use of the Internet, intranet and related services. The policy should detail the permissible and non-permissible uses of the Internet, intranet and related services for their agency business use.

Please see the policy guidelines for assistance in creating your agency policy.

E. Background - History On The Creation Of Or Changes To This Policy

The ITAC Internet Policy Advisory Task Force worked during 1997 to study the need for policy for state government use of the Internet. The Task Force identified potential areas of risk, researched existing policy and law, and determined whether there was additional need for policy. The Task Force found that educating agencies and employees with a compilation of existing policy, law and guidelines would provide direction to agency and employee Internet users. The results of the Task Force's work are this policy and its guidelines and recommendations to ITAC regarding changes to existing policies.

The ITAC Internet Policy Advisory Task Force was comprised of representatives from the following agencies and organizations:

The Commissioner of Higher Education, the Public Service Commission, the Department of Agriculture, the Department of Administration's Information Services Division, the Department of Commerce, the Department of Transportation, the Department of Environmental Quality, the Department of Justice, the Office of Public Instruction, the Legislative Branch, the Department of Public Health and Human Services, the State Fund, the State Auditor's Office, the State Library, the Governor's Office, the Department of Fish, Wildlife and Parks, the Department of Labor and Industry and the Department of Revenue.

F. Guidelines - Recommendations, Not Requirements

The Internet has been provided to State employees for the benefit of agencies and their customers. Every State employee has the responsibility to maintain and enhance the State's public image and to use the Internet in a productive manner. To ensure these standards are being met, the following guidelines have been established for assisting agencies in developing their agency business use policies for the Internet, intranet and related services.

"Don't say, do, write, view, or acquire anything that you wouldn't be proud to have everyone in the world learn about if the electronic records are laid bare."

Agencies should be in compliance with existing statewide and agency laws, rules and policies. Following are some examples of the existing laws, rules and policies for consideration when creating agency business use policies. Other laws, rules and policies may be applicable.

G. Laws and Rules

- [MCA 2-2-121 - Rules of Conduct for Public Officers and Public Employees](#)
- [MCA 2-17-533 - Electronic Access Systems](#)
- [MCA 45-6-311 - Unlawful Use of a Computer](#)
- [ARM 2-21-1105](#) - Cost/Benefit Analysis Criteria
- [ARM 2.13.101 - 2.13.107](#) - Regulation of Communication Facilities
- [MOM 1-0250.00](#) - Information System Security
- [MOM 1-0232.30](#) - Central Software Support Services
- [MOM 1-1103.01](#) - Use of State Telephone System, Personal Telephone Use
- [MOM 3-0130 Discipline](#)

*In addition, agencies should be aware that issues of Federal law and individual rights may also apply.

H. Policies

- [SummitNet Acceptable Use](#)
- [Aggressive Use of Information Technology to Provide Citizen Access to Information and State Services](#)
- [Transmission Privacy](#)
- [Computer Virus Detection & Prevention](#)
- [User Responsibility](#)
- [Network and File Server Security](#)

Each agency must have a clear policy on their business use of the Internet, intranet and related services. The policy should detail the permissible and non-permissible uses of the Internet, intranet and related services for their agency business use. Following are items and examples for consideration when creating agency business use policies. Other issues may be applicable.

I. Guidelines

All State employees shall be provided an opportunity for appropriate training in the use of automated information systems hardware and software used in the performance of their day to day responsibilities. Use of technology that meets

ethical standards and provides exposure, education or experience should be allowable and encouraged under each agency policy.

Agency policy should ensure Internet and intranet solutions are cost effective.

Agencies should appoint and/or maintain an Internet contact person, including an email address on the agency Web site.

Information confidential under State law should not be transmitted (including email) via the Internet without appropriate security measures taken to safeguard the information.

Agency pages should contain:

- Information on how to contact the agency by email, regular mail and telephone
- A link back to the State home page

Home pages reflect the image of the State of Montana and your agency; all information should reflect the State and agency standards for quality.

It is important for agencies to establish an ongoing process for updating the content, appearance, and usability of all information supplied to the public.

Disclaimers don't necessarily protect an agency from liability due to misinformation. If an agency has inaccurate information on their web site and the public relies on it, the agency may be liable.

All Internet options, page links, graphic links, and URL links should be verified regularly for accuracy and appropriateness.

A procedure and standard should be established for responding to inquiries and comments received through the Internet. Customers should be provided timely and responsive acknowledgments to queries and requests.

Agencies should log and regularly analyze Web page access statistics to evaluate server utilization, customer sources, and access frequencies for various files.

Agency policies should include Web page design standards to ensure access by persons with disabilities. Pages should contain a text-based parallelism. To ensure access, pages can be tested using Cast's Bobby at <http://www.cast.org/bobby>. More information on creating accessible web pages can be found at <http://www.trace.wisc.edu/>

Agency policies should require utilization of any Electronic Data Interchange (EDI) standards that have been adopted by government or industry to ensure

compatibility and interoperability with other State agencies and to the extent practicable with non-state information systems.

All entities that use the state's network that are not included within the scope of this policy are encouraged to adopt a similar policy.

III. Close

For questions or comments about this instrument, contact the Information Technology Services Division at [ITSD Service Desk](#), or:

Chief Information Officer
PO Box 200113
Helena, MT 59620-0113
(406) 444-2700
FAX: (406) 444-2701

IV. Cross-Reference Guide

A. State/Federal Laws

- 2-17-505(1) – Policy
- 2-17-514(1) – enforcement

B. State Policies (IT Policies, MOM Policies, ARM Policies)

- 2-17-501, MCA - *(repealed)*
- 2-17-503, MCA - *(renumbered)*
- [2-15-112, MCA](#)
- [ARM 2.13.101 - 2.13.107](#)
- [SummitNet Acceptable Use Policy](#)
- [MOM 3-0130 Discipline](#)
- ARM 2.12.206 Establishing Policies, Standards, Procedures and Guidelines.

C. IT Procedures or Guidelines Supporting this Policy

- IT Policy and Standard Development and Maintenance Procedure

V. Administrative Use

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Change Record:	July 11, 2008 – Non-material changes made: <ul style="list-style-type: none">- Standardize instrument format and common components.- Changed to reflect next review date.